

REMARKS

Claims 1-13 have been rejected under 35 U.S.C. § 102(b). Claim 2 has been rejected under 35 U.S.C. § 112, second paragraph.

Claim 1 has been amended.

Claim 2 has been amended to recite that the claimed melt flow rate was “measured in accordance with JIS-K7210 at a temperature of 190°C and under a load of 21.18 N (2.16 kgf).” Support for this amendment can be found, for example, on page 14, lines 31 *et seq.*

Claim 13 has been amended to depend solely from Claim 1.

New Claims 14-18 have been added.

Independent Claim 14 recites a golf ball material similar to Claim 1, but does not recite sub-component (e) of the resinous component and the weight ratio of components (a) and (b). Support for this claim can be found, for example, on page 7, lines 10-15 and lines 26-27.

Independent Claim 15 recites a golf ball material similar to Claim 1, but does not recite sub-component (b) of the resinous component. Support for this claim can be found, for example, on page 7, lines 10-15.

Independent Claim 16 recites a golf ball material similar to Claim 1, but does not recite sub-components (b) or (e) of the resinous component. Support for this claim can be found, for example, on page 7, lines 10-15 and lines 26-27.

Independent Claim 17 recites a golf ball material similar to Claim 1, wherein the resinous component contains at least one non-neutralized random copolymer.

Independent Claim 18 recites a golf ball material similar to Claim 14 but further recites that the resinous component contains at least one non-neutralized random copolymer.

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Independent Claim 19 recites a golf ball material similar to Claim 15 but further recites that the resinous component contains at least one non-neutralized random copolymer.

Independent Claim 20 recites a golf ball material similar to Claim 16 but further recites that the resinous component contains at least one non-neutralized random copolymer.

Newly-added dependent Claims 21-32 are dependent on the newly-added independent claims. The new dependent claims mirror the claims which depend from Claim 1.

Upon entry of the above amendment, Claims 1-32 will be all the claims pending in the application.

I. Rejection of Claim 2 under 35 U.S.C. § 112, second paragraph

Claim 2 has been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. Specifically, it is asserted that the recited melt flow rate is unclear because it does not recite a temperature nor a pressure under which the flow rate is to occur.

Applicants have amended Claim 2 to recite the conditions under which the melt flow rate was determined.

Accordingly, Applicants respectfully seek that the § 112 rejection be reconsidered and withdrawn.

II. Rejection of Claims 1-13 under 35 U.S.C. §§ 102 and 103

Claims 1-13 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by WO 98/46671 to Chen. In the alternative, Claims 1-13 have also been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen.

It is asserted that Chen teaches the instantly-claimed combinations of ingredients with the disclosed stearic acid salts falling within the scope of the instantly-claimed components (c) and (d), as well as their amounts used in making a golf ball.

With respect to the § 103, rejection, it is asserted that it would have been obvious to one of ordinary skill in the art to use the instantly claimed mixture of ingredients and amounts thereof as the golf ball composition of Chen.

In presenting the reasoning for the anticipation/obviousness rejections, the Examiner relies on an embodiment of the present invention wherein the amount of component (e) in the resinous component is zero.

Applicants' Response

Applicants assert that Chen fails to teach or suggest every element recited in Claims 1-13.

Chen is directed to stearic-modified ionomers for golf balls. These ionomer polymer of Chen is derived from an acid polymer containing (a) ethylene, (b) from 5-25 wt% (meth)acrylic acid and (c) from 0-40 wt% of a 1-8 C-alkyl, alkyl acrylate. The ionomeric polymer is formed by partial neutralization of the acid copolymer with metal ions selected from the group consisting of Li, Na, Zn, Ca, Mg and mixture of these. The neutralization level is from 10-90%.

Chen is also directed to a golf ball comprising (i) the above-described ionomeric polymer and (ii) from 5-45 wt, based on components (i) and (ii), of a metal stearate. The metal is selected from the group consisting of Ca, Na, Zn, Li, Ba, Mg and a mixture of metal stearates.

Chen does not teach the presently claimed component (e) in a resinous component.

Amended Claim 1 recites that the resinous component contains a non-ionomer thermoplastic elastomer (component (e)) and that the ratio of the base resin and component (e) is 99:1 to 50:50.

Accordingly, Applicants respectfully request that the rejection of Claims 1-13 be reconsidered and withdrawn.

III. New Claims 14-32

Applicants respectfully assert that Claims 14 and 16 recite patentable subject matter over the cited prior art. Claims 14 and 16 recite a golf ball material which contains a basic inorganic metal compound (instantly-claimed component (d)) capable of neutralizing acid groups left unneutralized. Component (d) in the present invention acts synergistically to increase the thermal stability of the mixture, impart good moldability and enhance rebound characteristics. Applicants assert that Chen fails to disclose the addition of component (d) capable of neutralizing acidic groups. Furthermore, Chen fails to suggest that the amount of component (d) should be limited to 0.1-10 parts. If component (d) is present in too large an amount, the heat resistance of the material will be reduced.

With respect to Claims 15, 17 and 19, Applicants assert that the Claims 15 and 17 recite patentable subject matter as each recites a resinous component containing subcomponent (e) of a non-ionomer thermoplastic elastomer. As discussed above, the composition of Chen does not contain a non-ionomer thermoplastic elastomer. Accordingly, Claims 15, 17 and 19 should be allowed.

With respect to Claims 18 and 20, Applicants assert that Chen does not teach or suggest the elements recited in said claims. Specifically, Applicants assert that Chen's teachings are

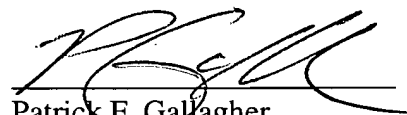
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limited to metal ion-neutralized ionomer resins. Claims 18 and 20 recite that the claimed resinous component contains at least one non-neutralized ionomer resins. Chen fails to teach this recitation. Accordingly, Claims 18 and 20 should be allowed.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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